

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JEAN MARC VAN DEN HEUVEL,

Plaintiff,

v.

EDDIE FREAS et al.,

Defendants.

No. 2:20-cv-00352-TLN-CKD

ORDER

On July 23, 2020, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 11.) On August 10, 2020, Plaintiff filed objections to the proposed findings and recommendations. (ECF No. 13.) The Court has considered Plaintiff's objections.

This Court reviews de novo those portions of the proposed findings of fact to which an objection has been made. 28 U.S.C. § 636(b)(1); *McDonnell Douglas Corp. v. Commodore Business Machines*, 656 F.2d 1309, 1313 (9th Cir. 1981), *cert. denied*, 455 U.S. 920 (1982); *see also Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009). As to any portion of the proposed findings of fact to which no objection has been made, the Court assumes its correctness and decides the motions on the applicable law. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Britt v. Simi*

1 *Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).

2 The Court has reviewed the applicable legal standards and concludes that it is appropriate
3 to adopt the proposed findings and recommendations in full. Accordingly, IT IS ORDERED that:

4 1. The Proposed Findings and Recommendations filed July 23, 2020 (ECF No. 11), are
5 ADOPTED IN FULL; and

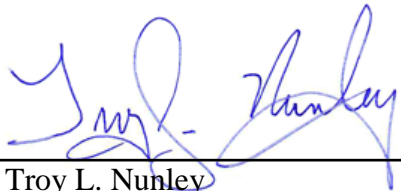
6 2. Plaintiff's complaint is DISMISSED without leave to amend.

7 3. The Clerk of Court is directed to close this case.

8 IT IS SO ORDERED.

9 DATED: August 25, 2020

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Troy L. Nunley
United States District Judge